

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROCHESTER DRUG CO-OPERATIVE,)
INC., on behalf of itself and all others)
similarly situated,)

Plaintiff,)

v.)

C.A. No. 05-351 KAJ

ABBOTT LABORATORIES,)
FOURNIER INDUSTRIE ET SANTÉ,)
and LABORATORIES FOURNIER S.A.,)

Defendants.)

**AFFIDAVIT OF DEFENDANT'S NON-RESIDENCE
PURSUANT TO L.R. 4.1(b)**

STATE OF DELAWARE)
NEW CASTLE COUNTY) SS.

BE IT REMEMBERED that on this 15th day of June, 2005, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, JEFFREY S. GODDESS, ESQUIRE, who being duly sworn did depose and say:

1. That he is the attorney for the plaintiff in this civil action.
2. That defendant, Abbott Laboratories, is non-resident in Delaware, being incorporated under the laws of the State of Illinois and having its principal place of business in Abbott Park, Illinois.

3. That he makes this Affidavit on behalf of the plaintiff and causes it to be filed pursuant to L.R. 4.1(b).

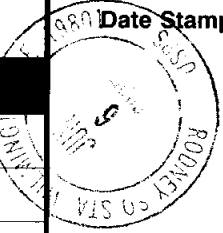
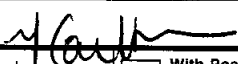
4. That on June 6, 2005, he caused a registered letter to be sent to defendant, Abbott Laboratories. Said registered letter enclosed a copy of the Summons, Complaint and the Return Of Service showing service upon the Secretary of State of the State of Delaware pursuant to 10 Del. C. §3104. A copy of the receipt obtained at the time of mailing said registered letter is attached hereto as Exhibit A.

5. That on June 9, 2005, the aforesaid registered letter was received by defendant Abbott Laboratories, as shown by the attached return receipt from the United States Postal Service. The receipt is attached hereto as Exhibit B.


JEFFREY S. GODDESS (No. 630)


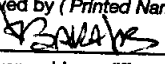
SWORN TO AND SUBSCRIBED before me the day and year aforesaid.


NOTARY PUBLIC

Registered No.		RB 121 172 600US		Date Stamp	
To Be Completed By Post Office	Reg. Fee	7.50			
	Handling Charge	2.21	Return Receipt		1.75
	Postage		Restricted Delivery		
	Received by				
	Customer Must Declare Full Value \$	N/V	<input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance		Domestic Insurance up to \$25,000 is included in the fee. International Indemnity is limited. (See Reverse).
OFFICIAL USE					
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	JEFFREY S. GODDESS, ESQ.			
		PO BOX 1070			
		WILMINGTON, DE 19899-1070			
	TO	ABBOTT LABORATORIES			
		100 ABBOTT PARK ROAD			
ABBOTT PARK, IL 60064					
RE: Rochester (Tricor)					

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer
 May 2004 (7530-02-000-9051) (See Information on Reverse)
 For domestic delivery information, visit our website at www.usps.com®

EXHIBIT A

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: ABBOTT LABORATORIES 100 ABBOTT PARK ROAD ABBOTT PARK, IL 60064		B. Received by (Printed Name) 	C. Date of Delivery 6-9-5
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number RB 121 172 600US <i>(Transfer from service label)</i>		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

EXHIBIT B